

ARTICLE APPEARED  
ON PAGE 14

CHRISTIAN SCIENCE MONITOR  
11 December 1985

INTERNATIONAL

# Israel fears that US questioning of officials could open 'can of worms'

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Special to The Christian Science Monitor

Jerusalem

The questioning, by a United States team, of Israelis implicated in the Pollard spy affair may further strain relations between the nations, say officials here.

Five American officials — one from the State Department, two from the Justice Department, a District of Columbia prosecutor, and a representative of the Federal Bureau of Investigation — were scheduled to arrive in Jerusalem today. They will interview those Israelis the US believes were linked to American Jonathan Jay Pollard, who is charged with selling military secrets to Israel.

Israel had agreed, when it issued a qualified apology for the Pollard affair, to cooperate fully with the American investigation into Pollard's activities. But both countries seem acutely aware that the questioning could make matters worse.

"We could be opening a can of worms," says one American diplomat.

Not the least of the problems is the fact that the three Israelis who will be questioned have hired private lawyers to represent them during questioning. At each interview, one Israeli government source says, the Israeli team is likely to include the Israeli to be questioned, his private lawyer, the government's lawyer, and Hanan Bar-On, deputy director general of the Foreign Ministry.

The arrival of the American team was delayed repeatedly while the two governments tried to establish ground rules for what the Israelis insist is an interrogation. Finally, Prime Minister Shimon Peres dispatched Moshe Arens, minister without portfolio, to the US last week. The result of Arens's trip seems to be an agreement on a framework for the discussions.

"We had to decide on what kinds of questions would be asked before they went into the room and there was a real confrontation," says one Israeli official.

The questioning of one nation's diplomats in connection with a criminal case being prosecuted in another nation is virtually unprecedented, as diplomats normally enjoy diplomatic immunity.

But because of its close relationship with the US, and the ramifications of Israel's "running" an American spy ring, the Israeli government agreed to cooperate. The Americans want to know how Pollard was hired and they want to see all the documents he reportedly turned over to Israel in the past 18 months.

"It is a unique situation, so why not use an unorthodox solution to get it out of the way as soon as possible?" says the Israeli official.

There remains a problem, Israeli sources say, with the willingness of the Israelis to be questioned. Two were scientific attachés serving in New York and Washington until they were abruptly recalled the day after Pollard was arrested. The third is Rafael Eitan (no relation to the former chief of staff of the same name), counterterrorism advisor to three Israeli prime ministers and head of the Defense Department unit believed to have hired Pollard.

The Israeli government is painfully aware of the damage that may be caused to the Israeli intelligence community if the government is seen to be sacrificing intelligence operatives for political expediency. The Israeli fears revolve around the fact that the American team includes representatives of the Justice Department and the FBI. Both departments are widely perceived as determined to investigate the case to the fullest extent possible.

Israeli officials expressed relief that the team is headed by Judge Abraham Sofaer, legal adviser to the State Department. The State Department is seen as more sensitive to Israeli fears of damaging its intelligence community or causing more rifts in the already fragile coalition government.